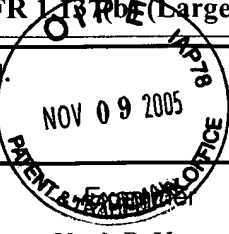


DACT  
JAN 11 2005

**Petition For Revival Of An Application For Patent Abandoned  
Unintentionally Under 37 CFR 1.18 (Large Entity)**

Docket No.  
73874-0028

In Re Application Of: Reinhard Burk et al.



Application No.	Filing Date	Applicant	Customer No.	Group Art Unit	Confirmation No.
10/802,487	03/17/2004	Noah P. Kamen	50659	3747	4095

Invention: Two-Stroke and Four-Stroke Switching Mechanism

Attention: Office of Petitions  
**Mail Stop Petition**  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. ☐ A proposed reply to the above-identified notice or action:

☐ is enclosed. ☐ was filed on \_\_\_\_\_

The proposed reply is in the form of: \_\_\_\_\_

2. ☒ The issue fee: || 11/10/2005 MBELETE2 00000137 122136 10802487

☒ is enclosed. ☐ was paid on \_\_\_\_\_  
01 FC:1453 1500.00 DA  
02 FC:1501 1400.00 DA

3. ☒ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

4. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

5. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

**Petition For Revival Of An Application For Patent Abandoned  
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.  
**73874-0028**

In Re Application Of:

**Reinhard Burk et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/802,487	03/17/2004	Noah P. Kamen	50659	3747	4095

Invention: **Two-Stroke and Four-Stroke Switching Mechanism**

**Calculation and Payment of Fees**

Enclosed are the following fees:

- |   |                             |
|---|-----------------------------|
| 6. <input checked="" type="checkbox"/> Petition fee under 37 CFR 1.17(m) in the amount of:          | <u>\$1,500.00</u>           |
| 7. <input type="checkbox"/> Fee for amendment in the amount of:                                     | <u>                    </u> |
| 8. <input type="checkbox"/> Fee for extension of time to respond to Office Action in the amount of: | <u>                    </u> |
| 9. <input checked="" type="checkbox"/> Issue fee in the amount of:                                  | <u>\$1,400.00</u>           |
| 10. <input type="checkbox"/> Continuing application filing fee in the amount of:                    | <u>                    </u> |
| 11. <input type="checkbox"/> Terminal disclaimer fee in the amount of:                              | <u>                    </u> |
| 12. <input type="checkbox"/> _____  | <u>                    </u> |
| Total fees enclosed:  | <u>\$2,900.00</u>           |

The fee of **\$2,900** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **12-2136**
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**Petition For Revival Of An Application For Patent Abandoned  
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.  
73874-0028

In Re Application Of:

Reinhard Burk et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/802,487	03/17/2004	Noah P. Kamen	50659	3747	4095

Invention: Two-Stroke and Four-Stroke Switching Mechanism

**Statement**

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

  
Signature

William J Clemens, Esq.  
Butzel Long  
100 Bloomfield Hills Parkway  
Suite 200  
Bloomfield Hills, MI 48304  
USA

Dated: November 7, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

Nov 7, 2005

(Date)

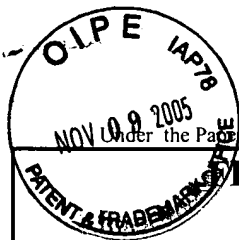


Signature of Person Mailing Correspondence

Terri L Fox

Typed or Printed Name of Person Mailing Correspondence

cc: Docketing



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FREE TRANSMITTAL**  
**For FY 2005**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 2,900 )

**Complete if known**

Application Number	10/802,487
Filing Date	March 17, 2004
First Named Inventor	Reinhard Burk et al.
Examiner Name	Noah P. Kamen
Group/Art Unit	3747
Attorney Docket No.	73874-0028

**METHOD OF PAYMENT (check one)****FEE CALCULATION (continued)**☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) \_\_\_\_\_☒ Deposit Account Deposit Account Number 12-2136 Deposit Account Name Butzel Long

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. Basic Filing, Search, and Examination Fees****FILING FEES****SEARCH FEES****EXAMINATION FEES**

Application Type	Small Entity		Small Entity		Small Entity		Fees Paid (\$)
	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent  
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent  
Multiple dependent claims

	Small Entity
Fee (\$)	Fee (\$)
50	25
200	100
360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
_____ - 20 or HP = _____	x _____	= _____	

HP = highest number of total claims paid for, if greater than 20.

Multiple Dependent Claims	
Fee (\$)	Fee Paid (\$)
_____	_____

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
_____ - 3 or HP = _____	x _____	= _____	

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(c)), the application size fee due is \$250 (125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____ / 50 = _____	(round up to a whole number)	x _____	= _____

**4. OTHER FEE(S)**Non-English Specification, \$130 fee (no small entity discount)  
Other (e.g., late filing surcharge): \_\_\_\_\_ Issue Fee (\$1,400) and Petition Fee (\$1,500)

Fee Paid (\$)
_____
2,900

**SUBMITTED BY****Complete (if applicable)**Typed or  
Printed Name William J. Clemens

Reg. No. 26,855

Signature *William J. Clemens*

Date November 7, 2005

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.